

THE ZAPPIA LAW FIRM

A Professional Corporation

— *Labor & Employment* —

Defending Management's Rights

GOTHARD BUSINESS CENTER II
16651 Gothard Street, Suite K
Huntington Beach, California 92647-4482
Telephone: (213) 814-5550
www.zappialegal.com

Author's Direct

213-814-5550

(Direct/Text)

ezappia@zappialegal.com

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RE: ZLF's Top 5 Short Aggravating Employment Law Case Summaries

Happy Thursday everyone: Top 5 short readable summaries of some recent California employment cases from ZLF:

1. **No Monetary Damages, No Problem: \$11.2 Million Jury Verdict in Disability and Age Discrimination case** for 74 year employee whose employer refused to provide her a chair to accommodate back pain while performing her medical screening duties, and later terminated her based on her age. The jury found damages as: \$1 million for physical pain & suffering; \$1 million for emotional distress; and \$9 million in punitive damages. Plaintiff had no monetary damages. (*Roque v Octapharma Plasma, Inc.*) (**Note:** 8-figure jury employment discrimination/retaliation verdicts are not rare in CA.)
2. **\$4,000,000 Female Police Captain Topless Photo Jury Verdict** in secondary harassment emotional distress damages for female LAPD captain Lilian Carranza after the LAPD refused to notify employees that a photo being internally circulated of a topless woman who looked like her, was not her. The LAPD also failed to discipline any of the officers circulating the photo. Verdict affirmed on appeal. (*Carranza v City of Los Angeles* (2025) 111 Cal.App.5th 388) (**Note:** ZLF Recommends Not Circulating Topless Woman's Photos at Work)
3. **Attorneys Beware, Scamming Pays:** Court held that Defendant's counsel was liable for wiring \$475,000 in settlement funds to a scam/spam account, particularly

when they failed to notice the “spoof account” email address differed from Plaintiff’s counsel’s email address. (*Thomas v. Corbyn Restaurant Dev. Corp.* (2025) 111 Cal. App. 5th 439)

4. **Policy Prohibiting Employment of Undocumented Students Deemed Impermissibly Discriminatory**, even though implemented to avoid risk of federal prosecution. (*Munoz v Regents of the University of California* (8/5/25, CA Ct. App. 1st Dist., 4th Div)

5. **Employer Prevails in Requiring Employee to Return to Work After COVID.**
A school district employee refused to comply with employer’s return to work order after COVID based on her “suspected or self-diagnosed allergy to vaccines.” Court dismissed her claims of failure to engage in the interactive process, discrimination, retaliation, and failure to furnish a safe & healthful workplace. Interestingly, among other things, the Court found that she did not have a “qualifying disability.” That’s unusual because CA gives “qualifying disability” a broad interpretation. (*Allos v Poway Unified School District* (6/4/25) CA Ct. App, 4th Dist, 1st Div.)

For over 30 years, Ed Zappia has represented public and private employers in a wide array of employment and labor law matters including harassment, discrimination & wage/hour litigation and trial; appeals; workplace misconduct investigations; professional trainings; police and fire law & discipline; and labor/union and employee grievances and arbitrations.

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Sincerely,

Ed Zappia
THE ZAPPIA LAW FIRM, APC
GOTHARD BUSINESS CENTER II
16651 Gothard Street, Suite K
Huntington Beach, CA 92647-4482
213-814-5550 (Direct and Text)

ezappia@zappialegal.com

www.zappialegal.com